

(1) Report and Final Account of Administrator, (2) Petition for Reimbursement to Administrator for Costs Advanced and (3) Attorney's Compensation and (4) for Final Distribution

DOD: 4/5/2000		DANIEL DIAZ , Administrator, is petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. The check used to pay the filing fee for this petition was returned from the bank for non-sufficient funds. Therefore before the court can sign the order the filing fee of \$435.00 and the returned check charge of \$45.00 must be paid. 2. Petition request distribution of 1/5 interest in the estate to the decedent's grandson, Joseph Diaz, son of James Diaz. At the time the estate was opened in 2006 James Diaz, son, was alive and therefore his share of the estate must be distributed to him or his estate and not to his son, Joseph Diaz. 3. Need proof of service of the Notice of Hearing on the estate of James Diaz or his heirs. Note: Declaration of Due Diligence has been filed for Joseph Diaz (James' son) but it is unclear if he has other heirs who would be entitled to notice.
		Account period: 10/24/06 – 8/31/13	
Cont. from		Accounting - \$23,000.00	
<input type="checkbox"/>	Aff.Sub.Wit.	Beginning POH - \$23,000.00	
<input checked="" type="checkbox"/>	Verified	Ending POH - \$23,000.00	
<input checked="" type="checkbox"/>	Inventory	Administrator - waives	
<input checked="" type="checkbox"/>	PTC	Attorney (statutory) - \$920.00	
<input checked="" type="checkbox"/>	Not.Cred.	Costs - \$1,065.00	
<input checked="" type="checkbox"/>	Notice of Hrg	(filing fees, publication, probate referee, certified copies)	
<input checked="" type="checkbox"/>	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.	Distribution, pursuant to intestate succession, is to:	
	Pers.Serv.	Virginia Macias, Daniel Diaz, Rachael Garcia, Patricia Contreras and Joseph Diaz, 1/5/ interest each in real property.	
	Conf. Screen		
<input checked="" type="checkbox"/>	Letters	10/24/06	
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
<input checked="" type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: KT
			Reviewed on: 10/18/13
			Updates:
			Recommendation:
			File 1 – Diaz

Atty Donaldson, Larry A., sole practitioner (for Petitioner Kenneth Roberts, Conservator)

First and Final Accounting

Age: 19 years	KENNETH ROBERTS , paternal grandfather and Conservator of the Estate appointed on 8/6/2012 without the requirement of bond or a blocked account, is Petitioner.		NEEDS/PROBLEMS/COMMENTS:
Cont. from 071613, 100113	Order Appointing Probate Conservator filed 8/6/2012 finds Conservatee JESSICA ROBERTS voluntarily requested appointment of a conservator and good cause has been shown for the appointment. <i>Petition for Appointment of Probate Conservator</i> filed 5/22/2012 by the then-proposed Conservatee requested that Kenneth Roberts be appointed as Conservator of the Estate for the following reasons:		Continued from 10/1/2013. Minute Order states the Court notes that counsel Larry Donaldson is not present. Mr. [Kenneth] Roberts advises the Court that a check was made out directly to Jessica Roberts. Examiner notes are provided to Mr. Roberts and the matter is continued to 10/22/2013. Larry Donaldson is ordered to be personally present on 10/22/2013. Mr. Roberts informs the Court that he will be contacting Larry Donaldson.
<input type="checkbox"/> Aff.Sub.Wit			
<input checked="" type="checkbox"/> Verified			<p>Note: Clerk's Certificate of Mailing filed 10/8/2013 shows a copy of the Minute Order dated 10/1/2013 was mailed to Attorney Donaldson on 10/8/2013.</p> <p>~Please see additional page~</p> <p>Reviewed by: LEG</p> <p>Reviewed on: 10/18/13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 2 – Roberts</p>
<input checked="" type="checkbox"/> Inventory			
PTC			
Not.Cred.			
<input checked="" type="checkbox"/> Notice of Hrg			
<input checked="" type="checkbox"/> Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/S			
Objections			
Video Receipt			
CI Report			
9202			
Order	X	<p>First and Final Accounting filed 6/13/2013 contains Exhibits A, B and E, and copies of receipts and distributions made by the Conservator during the period of administration; said accounting does not contain a <i>Summary of Account</i>, period of the account, nor an itemization of any Conservator or Attorney fees paid from the Conservatorship Estate; Schedule entitled "Distributions to Conservatee" shows that on 11/16/2012, \$200,727.77 was paid from the conservatorship estate; <i>Schedule E, Cash Assets on Hand at the End of the Account Period</i>, states all assets have been distributed to the Conservatee on 11/16/2012, and shows cash assets on hand as of 3/17/2013 as \$0.00.</p> <p>~Please see additional page~</p>	
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			

NEEDS/PROBLEMS/COMMENTS, continued:

Note for background: Minute Order dated 8/20/2013 states: "No appearances. Matter is continued to 10/1/2013. The Court orders Larry Donaldson and Kenneth Roberts to be personally present on 10/1/2013. The Court directs that a copy of the examiner notes be sent to Larry Donaldson." The Clerk's Certificate of Mailing filed 8/29/2013 shows a copy of the Minute Order dated 8/20/2013 and Examiner Notes were mailed to Attorney Donaldson and Kenneth Roberts on 8/29/2013.

The following issues from the last hearing remain:

1. Need Notice of Hearing and proof of 15 days' service of the Notice of Hearing pursuant to § 2621, § 1460(b)(6), § 1821(b) (which requires notice to the relatives of the Conservatee within the second degree), and CA Rule of Court 7.1054 for the following persons:
 - Christina Roberts, mother;
 - Jennifer Roberts, sister;
 - Charlotte Roberts, grandmother;
 - Gary Dawson, grandfather.
2. First and Final Accounting filed 6/13/2013 does not comply with Probate Code §§ 2620 et seq., §§ 1060 et seq., the provisions for accountings of conservatorship estates, and with CA Rule of Court 7.575, most specifically with subsection(f) of 7.575 providing that all standard and simplified accounting filers must provide all information in their accounting schedules or their Summary of Account that is required by Probate Code §§ 1060 – 1063, and must provide all information required by Probate Code §§ 1064 in the petition for approval of their account or the report accompanying their account.
3. Conservator Kenneth Roberts is also the appointed personal representative of the Estate of Michael Roberts, who was Kenneth Robert's son and the father of Jessica (the Conservatee) and her sister, Jennifer Roberts (age 15). Jennifer's 50% interest in her father's military life insurance benefits were placed into the Jennifer Roberts Special Needs Trust, of which Christina Roberts (mother) is Trustee. Christina Roberts requested withdrawal from the Jennifer Roberts Special Needs Trust to reimburse Kenneth Roberts, the instant Petitioner and Conservator, for expenses he paid for funeral expenses, house payments, and truck payments/repossession totaling **\$8,491.29**. Christina Roberts states as part of her request that because the Trustee was informed that the Estate of Michael Roberts has insufficient funds to pay these debts, Kenneth Roberts has sought half reimbursement from daughter Jessica (the instant Conservatee). Court may require explanation as to whether the **\$4,245.65** (1/2 of **\$8,491.29**) was paid from the instant conservatorship; if so, this disbursement is not reflected in the documents submitted as an accounting, and would not necessarily be an appropriate disbursement from the Conservatorship estate given the Conservatorship estate does not own the house or truck.

~Please see additional page~

NEEDS/PROBLEMS/COMMENTS, continued:

4. It appears the Conservatee, having been distributed her estate assets prior to Court order, did not receive the benefit of the Court's oversight and approval of how the conservatorship estate funds should have been disbursed in the Conservatee's best interests pursuant to a required order from the Court terminating the *Conservatorship of the Estate of Jessica Roberts* and distributing the assets to her only after approval of the accounting and petition for distribution per the Probate Code.
5. The *Conservatorship of the Estate of Jessica Roberts* appears not to have been established to protect funds of an incapacitated adult, but rather as a method of circumventing the military benefits policy set in place for protecting persons under the age of 21 who would receive military life insurance benefits by holding distribution until 21 years of age (much like settlors are often wont to do in trusts), such that Jessica Roberts was not only allowed to receive the military life insurance benefits prior to her reaching age 21, but was also distributed conservatorship estate assets prior to approval by order of this Court as required by the Probate Code.

Petition for Final Distribution upon Waiver of Account and (2) for Allowance of Compensation for Ordinary Services

DOD: 3-16-13		JACK KELLY LESTER , Son and Executor with full IAEA without bond, is Petitioner. Accounting is waived. I&A: \$237,814.66 POH: \$59,236.07 cash plus real property valued at \$180,000.00 Executor (Statutory): Waived Attorney (Statutory): \$7,756.30 Closing: \$1,000.00 Distribution pursuant to Decedent's will: Jack Kelly Lester: Entire estate consisting of \$50,479.77 cash and real property.	NEEDS/PROBLEMS/COMMENTS:
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input checked="" type="checkbox"/>	Inventory		
<input checked="" type="checkbox"/>	PTC		
<input checked="" type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail w/o		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input checked="" type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input checked="" type="checkbox"/>	FTB Notice		
		Reviewed by: skc Reviewed on: 10-17-13 Updates: Recommendation: SUBMITTED File 3 – Lester	

Atty Rudy, Christine M. (of Roseville for Jamie Starr Thomas – beneficiary/Petitioner)

Atty Sanoian, Joanne (for Gary Hamilton – Trustee/Respondent)

Verified Petition for Removal of Trustee, Accounting, Surcharge, and Approval of Attorney Fees

DOD: 03/13/11		JAMIE STARR HAMILTON , beneficiary, is Petitioner. Petitioner states: 1. She is an heir of James O. Hamilton ("Decedent") and a beneficiary of the JAMES O. HAMILTON LIVING TRUST (the "Trust"). Gary C. Hamilton ("Respondent") is the trustee of the Trust. 2. Decedent created the Trust on 04/16/03 and amended the Trust on 12/20/07. The Trust named Gary C. Hamilton as the successor trustee upon the death of James O. Hamilton. 3. The dispositive terms of the Trust set out in Article Five of the Trust as amended on 12/20/07 state in relevant part: "Upon the death of the settlor, \$1.00 shall be paid to Gary K (sic) Hamilton and \$1.00 shall be paid to Terry Lee Hamilton as they are already provided for elsewhere. The balance of the trust assets shall be divided into four (4) shares and allocated as follows: 25% to Wade Hamilton, 25% to Jamie Star Hamilton Thomas, 25% to Cynthia Ann Thomas, and 22% to Allen Richard Thomas. Each share of these beneficiaries shall remain in this trust until the particular beneficiary attains the age of 60 at which time the trustee shall distribute the share in 200 monthly installments. The monthly payments shall be \$1,000 per month unless the trustee must adjust the amounts depending on the trust assets. It is anticipated that by the time the first beneficiary attains the age of 60, all assets of this trust will be liquid. <i>If the trust does not contain assets that are liquid, the trustee shall use his or her best efforts to liquidate those assets (emphasis added).</i> " Continued on Page 2	NEEDS/PROBLEMS/COMMENTS: <u>CONTINUED FROM 07/18/13 & 09/17/13</u> Minute order from 09/17/13 states: Ms. James is appearing via CourtCall. Ms. Nuttall informs the Court that the formal accounting was just completed and a copy will be provided to Ms. James this week. Ms. Nuttall further advises that the Oklahoma property has a cash buyer. As of 10/18/13, nothing further has been filed. 1. Need Order.	
Cont. from 071813, 091713				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail w/			
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input type="checkbox"/>	Letters			
<input type="checkbox"/>	Duties/Supp			
<input checked="" type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input type="checkbox"/>	Order x			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
				Reviewed by: JF Reviewed on: 10/18/13 Updates: Recommendation: File 4 – Hamilton

4. Decedent died more than 2 years ago and Respondent has failed to liquidate the assets, make a single distribution to Petitioner or provide an accounting of the trust assets.
5. At the time of Decedent's death, Petitioner was over the age of 60 and entitled to immediate distributions. Despite several requests, no accounting or distributions have been made. Petitioner believes that there was a fair amount of cash in the Trust at the time of Decedent's death and income has been received since Decedent's death.
6. In addition to the failure to account and properly distribute trust assets, Respondent has failed to liquidate trust assets.
7. The most obvious breach of trust that requires immediate removal and surcharge, is the self-dealing and conflict of interest Respondent has with regard to money owed the Trust. A big reason Respondent has not liquidated the assets of the Trust is that several of the assets are promissory notes secured by deeds of trust on properties owned by Respondent. Respondent owes the Trust in excess of \$400,000 for two separate promissory notes secured by deeds of trust on properties owned by Respondent.
8. Petitioner is informed and believes that Respondent is not and has not made payments to the Trust for the promissory notes.
9. Respondent has also failed to act impartially in violation of Probate Code § 16003. Wade Hamilton, who has just attained the age of distribution has been receiving monies from Respondent. Petitioner is informed and believes that Wade Hamilton has received monies from the Trust even before reaching the age of distribution for so called "management" of the Trust. Respondent is clearly favoring Wade Hamilton over the other beneficiaries and improperly delegating trustee duties.
10. Respondent has failed in every duty required by him and has acted in a self-serving manner since the death of the Decedent. These conflicts and breaches of trust require his immediate removal as trustee.
11. The Trust states that Wade Hamilton is next in line to serve as successor trustee and if he is unwilling or unable to serve that Petitioner would serve. Based on the collusion between Respondent and Wade Hamilton, Wade Hamilton should be barred from serving as trustee. Petitioner would decline to act in favor of a disinterested third party trustee and believes that a third party trustee is the only appropriate remedy to impartially and properly administer the Trust.
12. Respondent has failed to provide an annual accounting as required by Probate Code § 16062. The Trust does not waive the requirement of an accounting. Petitioner requests the Court order Respondent to file an accounting detailing his actions as trustee within 30 days.
13. Respondent is chargeable and responsible for the breaches, self-dealing, mismanagement and misconduct as trustee of the Trust and subject to surcharges. Respondent has breached his fiduciary duties in every way and therefore Petitioner requests the Court surcharge Respondent for his abuse of office, self-dealing, and failure to use ordinary care and diligence in managing the Trust estate in an amount no less than \$50,000.
14. Petitioner believes that compensation in the amount of \$3,000 is reasonable for her attorney's fees for this Petition plus filing fee in the amount of \$435.

Petitioner requests that:

1. Respondent be removed as Trustee of the Trust and appoint an independent 3rd party as successor Trustee;
2. The Court order Respondent to file an accounting with the Court within 30 days detailing his actions as Trustee;
3. The Court surcharge Respondent in an amount deemed reasonable by this Court for his breaches of Trust
4. The Court authorize and direct the Trustee to pay Petitioner's attorney's fees and costs.

Continued on Page 3

Response of Gary Hamilton filed 07/12/13 admits and denies certain allegations in the Petition and states:

1. Respondent has only acted in good faith with respect to the Trust and his duties as Trustee. Respondent provided his version of an accounting in October 2012 with a document titled "Assets" that was sent via certified mail to each Trust beneficiary. In this document Respondent listed what he believes are the Trust assets. Respondent has not been contacted by any beneficiary about the accounting document. Currently Respondent is preparing a subsequent accounting which he will file with the Court and distribute to the beneficiaries. Respondent has been unable to make a distribution to Petitioner because there is not enough cash in the Trust to make beneficiary distributions. Currently there is \$1,500.00 cash in the Trust. While Respondent has not liquidated any trust assets, this is not due to lack of effort on his part, as he has used his best efforts to liquidate Trust assets. Respondent has been attempting to sell certain Trust real property – 638.88 acres of farmland in Choctaw County, Oklahoma (the "Oklahoma Property") in order to make the distributions to the beneficiaries. This farmland is an original asset of the Trust and was appraised at \$863,000 in May 2012. Respondent believes he has an Oklahoma buyer for the Oklahoma Property and is hopeful that the sale will take place within 45 to 60 days. Once this property is sold, Respondent will be able to make distributions to the beneficiaries.
2. Respondent purchased real property from Decedent and a \$100,000.00 promissory note was executed. The real property is located in Tollhouse (the "Tollhouse Property") and is subject to a Deed of Trust dated 03/29/07. Pursuant to the terms of the Promissory Note, Respondent would pay Decedent \$500.00 per month. Respondent is current with the payments and he has not missed one payment on the note. The other alleged Promissory Note was secured by a Deed of Trust dated 02/05/07 for approximately 20 acres of real property in Fresno (the "Fresno Property"). The Fresno Property is currently an asset of the Trust. Originally Respondent purchased the Fresno Property from Decedent but because Respondent was unable to make payments on the property, Respondent transferred the property back into the Trust. Respondent is currently seeking to sell the Fresno Property. Therefore Petitioner's allegation that Respondent owes the Trust in excess of \$400,000.00 is false. Respondent is making the mandatory payments on the Tollhouse Property and he has deeded the Fresno Property back to the Trust. Petitioner's allegations that Respondent's self-dealing and conflict of interest with money owed to the Trust are baseless.
3. Respondent admits the Joel Wade Hamilton is a Trust beneficiary, however, the money that Wade has received was primarily money Wade lent to Respondent to initially fund the Trust. Respondent denies any assertion that he has favored Wade over the other beneficiaries.
4. Respondent denies that he has failed in fulfilling his fiduciary duties as Trustee of the Trust and denies he has acted in a self-serving manner, he further denies that any of his actions with respect to the Trust warrant his removal as Trustee.
5. Neither Respondent nor Wade should be barred from serving as Trustee of the Trust. If anything, respondent and Wade have acted in only the best interest of the Trust, the Trust assets, and the beneficiaries. Respondent has been making true efforts to liquidate the Trust properties.
6. Respondent denies that he should be charged for Petitioner's attorney's fees and costs.

Respondent prays for an Order denying the Petition.

DOD: 05/17/2013		KORINA BERSENTES , daughter is petitioner and requests appointment as Administrator without bond.	NEEDS/PROBLEMS/COMMENTS: 1. Proposed personal representative is a resident of Colorado. Probate Code §8571 states notwithstanding a waiver of bond, the Court in its discretion may require a nonresident personal representative to give a bond in an amount determined by the Court. Note: If <i>Petition</i> is granted, Court will set status hearings as follows: • Friday, 03/21/2014 at 9:00 a.m. in Dept. 303 for filing of final inventory and appraisal; and • Friday, 12/19/2014 at 9:00 a.m. in Dept. 303 for filing of first account and/or petition for final distribution. Pursuant Local Rule 7.5, if the documents noted above are filed 10 days prior to the dates listed, the hearings will be taken off calendar and no appearance will be required.
Cont. from 090313, 100813		All heirs waive bond.	
	Aff.Sub.Wit.	Petitioner is a resident of Superior, Colorado	
✓	Verified	Full IAEA – o.k.	
	Inventory		
	PTC		
	Not.Cred.	Decedent died intestate.	
✓	Notice of Hrg		
✓	Aff.Mail	Residence: Fresno Publication: The Business Journal	
✓	Aff.Pub.		
	Sp.Ntc.	Estimated value of the estate:	
	Pers.Serv.	Personal property \$250,000.00	
	Conf. Screen		
✓	Letters	Probate Referee: Rick Smith	
✓	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: LV Reviewed on: 10/18/2013 (KT) Updates: Recommendation: File 5 – Bersentes

DOD: 04/19/2013		DARLA SUE PARTIDA , friend, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
		40 days since DOD	
		Proceedings have commenced in El Paso County, Colorado.	<u>Continued to 12/3/2013</u> at the request of Attorney Herold.
Cont. from 091913		I&A - \$65,000.00	
<input type="checkbox"/>	Aff.Sub.Wit.		1. Will devises \$2,000.00 to Catherine Ramey and \$1,000.00 to Dee Nelson with the residue passing to Darla Sue Partida. Specific gifts must be satisfied before residue can pass therefore need receipt showing Catherine and Dee received their specific gifts.
<input checked="" type="checkbox"/>	Verified		
<input checked="" type="checkbox"/>	Inventory		2. Pursuant to Probate Code § 1208, need proof of service of the Notice of Hearing on Kurt H. Thompson.
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail	w/	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: LV
			Reviewed on: 10/18/13 /KT
			Updates:
			Recommendation:
			File 6 - McIver

7 Loeffler Family Trust**Case No. 13CEPR00736****Atty Downing, Marcella (for Diane Huerta and Linda Plitt – daughters/Petitioners)**

Petition for to Determine the Validity of the Trust Modifying the Trust, Removing Trustees, Appointing Trustees Instructing the Trustee, Compelling Redress of Breach of Trust, and Preliminary Injunction Prohibition Further Distributions to Mick Loeffler

		DIANE HUERTA and LINDA PLITT, daughters, are Petitioners.	NEEDS/PROBLEMS/COMMENTS: <u>Note:</u> The temporary conservatorship expired on 08/29/13 and was not extended, therefore Petitioners are no longer temporary conservators of the Person. Bruce Bickel is the current acting temporary conservator of the estate for both Dr. and Mrs. Loeffler. The Petitions for general conservatorship have been set for trial at 9:00 am on 02/24/14 in Dept. 502 before Judge Black. The conservatorship matters are schedule for a settlement conference with Judge Oliver in Dept. 303 on 11/07/13 at 1:30pm. 1. The Petition does not state the names of the persons entitled to notice of as required Pursuant to Probate Code § 17201. <u>Note:</u> Fred and Kathleen Loeffler were personally served with the Notice of Hearing and a copy of the Petition and several other people were served by mail. The Examiner is unable to determine whether everyone entitled to notice has received notice due to that information not being stated in the petition. 2. Need Order.
		Petitioners state:	
Cont. from		1. Dr. Fred Otto Loeffler and Kathleen Loeffler are the Trustor's of THE LOEFFLER FAMILY TRUST.	
<input type="checkbox"/>	Aff.Sub.Wit.	2. Petitioners were appointed as temporary conservators of the Person of their parents, Dr. Fred Otto Loeffler and Kathleen Loeffler.	
<input type="checkbox"/>	Verified	3. Bruce Bickel is the currently acting temporary conservator of the estates of both Dr. Fred Otto Loeffler and Kathleen Loeffler.	
<input type="checkbox"/>	Inventory	4. The principal place of administration of the Trust is Fresno County.	
<input type="checkbox"/>	PTC	5. Petitioners allege that Dr. and Mrs. Loeffler (hereinafter "the Loefflers") lack capacity to resist undue influence and to protect their assets for their own benefit. This case and the conservatorship cases are inextricably linked and Petitioners request that the Court take Judicial Notice of the Conservatorship proceedings and all of the filings in those matters.	
<input type="checkbox"/>	Not.Cred.	6. The Loefflers have 4 children, Petitioners, Diane Huerta and Linda Plitt and Samuel Loeffler (hereinafter "Sam") and Michael Loeffler (hereinafter "Mick"). Linda and Diane are also successor trustee and beneficiaries under all of the various trusts which have been created by the Trustors over the years and therefore having standing to bring this action before the Court.	
<input checked="" type="checkbox"/>	Notice of Hrg	7. Petitioners believe that many trusts have been made and revised by the Loefflers.	
<input checked="" type="checkbox"/>	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
<input checked="" type="checkbox"/>	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
Continued on Page 2			

8. The first Declaration of Trust was dated 08/01/72 and amended on 05/12/82 and again on 05/21/91. The trust was then restated on 02/04/01. In the restated trust, the successor disability trustees were the spouse, then Diane, then Sam and the successor death trustee were the spouse, then Sam. The 2001 trust was amended in 2003 to replace Sam with Mick as successor disability and death trustee.
9. On 12/21/06, the trust was entirely restated once again. In this restatement, under the disability provisions of the trust, a co-trustee position was established with the non-incapacitated spouse serving with a co-trustee during any period of incapacity by one of the trustors. The succession of those to serve as both successor disability and successor death trustees was Diane, then Mick, then Linda, then Sam. If the remaining spouse was unable to service, the co-trustee would serve alone.
10. Subsequently, another attorney was contacted and yet another trust was created by attorney Kevin Gunner. Mediation was held and pursuant to a mediated agreement, all trustees stepped down and Bruce Bickel, a professional fiduciary, was appointed as trustee of yet another revised trust. The trust created by Kevin Gunner was titled "The Second Amendment and Full Restatement of the Loeffler Family Trust dated 08/01/72" was signed October 18, 2011.
11. Finally, yet another trust amendment entitled "The First Amendment to the Second Amendment and Full Restatement of the Loeffler Family Trust" was signed on 03/01/12.
12. On 05/15/12, Bruce Bickel stepped down as trustee of the trust at the request of Mrs. Loeffler who admitted to him that she did not want him to step down but was asking him step down at her son, Mick's insistence.

Background Leading to Current Claims for Relief:

1. On or about March 2008, Mick was evicted from the home he shared with his girlfriend and moved into the Loeffler's home purportedly to stay for a short time until he could procure employment allowing him to move out of the Loeffler's home.
2. In approximately July 2011, Dr. Loeffler fell and required in-home care. Mick reduced the caregiver hours to the point of being useless and insisted Dr. Loeffler rely solely on Mick, further isolating the couple. With Dr. Loeffler unable to assist himself, much less others, this left Mrs. Loeffler to rely solely on Mick. When asked if they could help, the other three children were told she "didn't think it was a good idea". Towards the end of July 2011, Dr. Loeffler was moved to a skilled nursing home by Diane Huerta to protect him from Mick's unpredictable verbal tirades and to provide the necessary care that was not being provided at home.
3. In approximately October 2011, Mick had all of the locks changed on their parents' home and refused to give any copies of the keys to any of the other children. Prior to this time, all of the children had been free to come and go in their parents' home.
4. From this point on, Dr. and Mrs. Loeffler were in an atmosphere which best could be described as a siege. When the other children were admitted to the home, they witnessed significant verbal abuse, hording, and evidence of substantial use of pain killers by Mick Loeffler. Dr. and Mrs. Loeffler were subjected to ongoing rants replete with obscenities, were taken from professional to professional in an attempt to persuade Dr. and Mrs. Loeffler to change their estate plan, ultimately giving Mick Loeffler complete control over their funds, healthcare and changing the Testator's ultimate gifting plan during life and after death.
5. Knowing Mick had a history of violent behavior and a previous domestic abuse restraining order had been filed against him, the other children were concerned any action to protect their parents might result in harm to their parents or themselves. Hence, they chose to mediate what had, at this point, become seen to be a crisis. This resulted in the drafting of yet another trust.
6. In February 2012, Mrs. Loeffler chose to move out of the home to an independent living apartment adjoining Dr. Loeffler's skilled nursing placement.
7. This did not end Mick's ongoing attempts to control his parents. Mick attempted to convince the facility he was the only one to make decisions for Dr. and Mrs. Loeffler's healthcare decisions, when in fact, Diane, held the power of attorney for healthcare.
8. Mick also went from attorney to attorney attempting to get the healthcare power of attorney, durable power of attorney, and the trust changed to put him in control of each instrument.
9. In the meantime, Mick was living rent free in the Loeffler's home and convinced Mrs. Loeffler she could only rely on him (Mick) for food, transportation, advice, safety, etc. and that all of the other family members, friends, advisors, etc. were not to be trusted.
10. Although mediation was attempted and although there appeared to be an agreement, the last amendment represents evidence that the mediation has failed and of further undue influence exerted on the Loefflers.

Continued on Page 3

First Claim for Relief – Determining the Validity of the Trust or Modifying the Trust

1. Petitioners request the Court find that with the establishment of the conservatorships of the Loefflers, any Durable Power of Attorney which may exist is now void and there is to be no amendment or modification of the trust without prior court approval.
2. In the alternative, Petitioners request to modify Article II(B)(2) of the Trust to state, upon the finding that the Trustor lacks capacity, Article II(B)(2) is void. Petitioner submit that it is reasonably necessary for the protection of the interests of the trustee or beneficiary to insure no additional revisions are made to this trust and the trust assets are protected removing the possibility the trust might be revised to allow gifting of trust assets prior to the death of both Trustors. As indicated in this Petition, there have been an extraordinary number of changes to this trust and it is reasonable to believe that at least the last two revisions were more likely than not made as a result of the exertion of undue influence on the Trustors by Mick Loeffler.

Second Claim for Relief – Removing Trustees

1. Article II(E) of the Trust entitled Successor Trustee, provides in relevant part: "Upon the death, resignation, removal or inability to act of Bruce D. Bickel, then in such event, Fred O. Loeffler and Kathleen Loeffler shall become Co-Trustees of said trust. Upon the death, resignation, removal or inability to act of Fred O. Loeffler or Kathleen D. Loeffler, then in such event, the remaining individual shall become sole trustee hereunder. Upon the death, resignation, removal or inability to act of Fred O. Loeffler and Kathleen D. Loeffler, then in such event, a Professional Licensed Fiduciary, to be appointed by Trustors' son, Mick G. Loeffler, shall serve in this capacity. In the event Mick G. Loeffler is unable or unwilling to appoint a professional licensed fiduciary to serve in this capacity, then in such event, the adult children of Trustors, by majority vote, shall so select a professional licensed fiduciary to serve in this capacity."
2. Petitioners request that the Court remove Fred O. Loeffler and Kathleen D. Loeffler as trustees as they are no longer able to serve in that capacity as they are now conserved under a temporary conservatorship. Petitioners believe both of them lack capacity to act in their own best interest and are subject to undue influence. **Examiners Note: The temporary conservatorship of the Person of both Fred and Kathleen expired on 08/29/13. Bruce Bickel was re-appointed as temporary conservator of the estate of both Fred and Kathleen on 09/25/13 and is the currently acting temporary conservator of the estate.**
3. Petitioners also ask that Mick Loeffler be removed from any position in which he may choose a professional fiduciary or to act as trustee or personal representative. Mick has demonstrated a history of abusing any power left in his hands and it is in the interest of Dr. and Mrs. Loeffler for their estate plan to remain unchanged and to have a professional fiduciary named without Mick's attempt to control that process to his benefit.

Continued on Page 4

Third Claim for Relief – Appointing Trustees

1. With the removal of the Loefflers as trustees, a trustee will be required and will need to be appointed in order to appoint a professional fiduciary to act as the Trustee of the Trust. Given the indications of undue influence exerted on the prior trustees, Court supervision is needed to protect the trust assets and those serving as trustees or conservators.
2. Petitioners request the Court appoint both of them in conjunction with Samuel Loeffler, Dr. and Mrs. Loeffler's remaining children, to fulfill the successor trustee provision to appoint a professional fiduciary to administer the trust as provided under Article II(E) and designate that the professional fiduciary named will also serve as conservator of the estate should one be appointed.

Fourth Claim for Relief – Instructing the Trustee and Compelling Redress of a Breach of Trust

1. Petitioners request the Court to either compel or instruct the trustee as allowed under Probate Code § 12700(b)(6) to hire a forensic accountant to audit the trust along with prior trusts and provide an accounting of the trust assets beginning January 1, 2008 to the present.
2. Petitioners assert trust funds have been diverted, gifted against the terms of the trust, and/or simply squandered. Mick Loeffler lives in the family home rent free and it is believed is paid for services either unrendered or overcharged. Petitioners believe and are prepared to show that social security checks which have previously been deposited directly into an account believed to be in the trust name are no longer being deposited to that account or any account they are aware of in the name of the Trust or the Trustors, individually.
3. Petitioners request that the court direct the trustee that upon any finding by the forensic accountant indicating funds have not been used for the benefit of the Trustors, the trustee be compelled to redress the breach, that the Court maintain jurisdiction over this case and case numbers 13CEPR00655 and 13CEPR00656, and that the Court maintain oversight of the administration of the trust.

Preliminary Injunction Prohibiting Further Disbursements to Mick Loeffler

1. Petitioners request that any person acting as trustee of the Trust or as the personal representative of Dr. and Mrs. Loeffler be enjoined from distributing any assets held in Trust to Mick Loeffler without further Court order.

Petitioners pray for an Order:

1. That the Court determine the validity of Article II(B)(2) of the Trust. Petitioners request the court find that with the establishment of the conservatorships any Durable General Power of Attorney which may exist is now void, and there is to be no amendment or modification of the trust without prior court approval, or in the alternative, that Article II(B)(2) be modified to state, upon the finding that either Trustor lacks capacity, Article II(B)(2) is void and the Trust may no longer be modified without prior court approval;
2. That the Court remove Fred O. Loeffler and Kathleen Loeffler and Mick Loeffler as Trustees of the Trust, remove Mick Loeffler from any position in which he may choose a professional fiduciary or to act as trustee or personal representative;
3. That the Court appoint Petitioners in conjunction with Samuel Loeffler to choose a professional fiduciary to act as the successor trustee of the trust as provide by the Trust;
4. That the Court designate that any trustee of the Trust which is appointed will also be named as the Conservator of the Estate if one is needed;
5. That the Court compel or instruct the trustee to hire a forensic accountant to audit the trust along with prior trusts and provide an accounting of the trust assets beginning with 01/01/08 to the present;
6. That the Court direct the trustee that upon any finding by the forensic accountant or any other party indicating funds have not been used for the benefit of the Trustors, the trustee be compelled to redress the breach;
7. That the Court maintain jurisdiction over this case and case numbers 13CEPR00655 and 13CEPR00656;
8. That the Court maintains oversight of the administration of the Trust; and
9. That the Court issue a preliminary injunction enjoining any person acting as trustee of the Trust or as the personal representative of Dr. and Mrs. Loeffler from distribution any assets held in the Trust to Mick Loeffler without further order of this Court.

DOD: 12-25-11		PAULA WIENS and AVERIL MUELLER,	NEEDS/PROBLEMS/COMMENTS: 1. Even though the sole heir waives bond, the Court may require bond since Petitioner Paula Wiens resides outside of California. See Cal. Rules of Court 7.201(b) and Probate Code §8571. Note: If granted, status hearings will be set as follows: <ul style="list-style-type: none"> Friday, November 22, 2013 at 9:00 a.m. in Department 303, for the filing of the bond, <i>if required</i>. Friday, March 21, 2014 at 9:00 a.m. in Department 303, for the filing of the inventory and appraisal. Friday, December 19, 2014 at 9:00 a.m. in Department 303, for the filing of the first account or petition for final distribution. Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.
		Sisters, are Petitioners and request appointment as Co-Administrators with Full IAEA without bond.	
		Decedent's mother and sole heir Marjorie Allison waives bond.	
	Aff.Sub.Wit.		
✓	Verified		
	Inventory	Petitioner Paula Wiens is a resident of Centennial, CO.	
	PTC		
	Not.Cred.	Petitioner Averil Mueller is a resident of Palm Springs, CA.	
✓	Notice of Hrg		
✓	Aff.Mail	w Full IAEA – ok	
✓	Aff.Pub.		
	Sp.Ntc.	Decedent died intestate	
	Pers.Serv.	Residence: Centennial, CO.	
	Conf. Screen	Decedent owned property in Fresno County, CA.	
✓	Letters		
✓	Duties/Supp	Publication: Fresno Business Journal	
	Objections		
	Video Receipt	Estimated Value of Estate:	
	CI Report	Real property: \$246,000.00	
	9202	Probate Referee: Rick Smith	
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: skc
			Reviewed on: 10-17-13
			Updates:
			Recommendation:
			File 8 – Streiff

DOD: 8-15-13		WILLIAM GORDON TRUXELL , Son and named Executor without bond, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Full IAEA – ok	1. Need original will. Probate Code §8200.
		Will dated 8-9-96	
<input type="checkbox"/>	Aff.Sub.Wit.		<u>Note:</u> The copy provided does not contain the signature of the decedent.
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory	Residence: Fresno	Original will lodged 9-16-13
<input type="checkbox"/>	PTC	Publication: Fresno Business Journal	
<input type="checkbox"/>	Not.Cred.		<u>Note:</u> If granted, status hearings will be set as follows:
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail	w	<ul style="list-style-type: none"> Friday, March 21, 2014 at 9:00 a.m. in Department 303, for the filing of the inventory and appraisal. Friday, December 19, 2014 at 9:00 a.m. in Department 303, for the filing of the first account or petition for final distribution.
<input checked="" type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		Reviewed by: skc
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		Reviewed on: 10-18-13
<input type="checkbox"/>	Objections		Updates: 10-21-13
<input type="checkbox"/>	Video Receipt		Recommendation: SUBMITTED
<input type="checkbox"/>	CI Report		File 10 – Truxell
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		

11 **Estrella Angel Reyna Cisneros (GUARD/P)**
 Atty Ramos, Isidoro (pro per Guardian/maternal aunt)
 Atty Gonzales, Agapita P (pro per Guardian/maternal uncle)
 Atty Ramos, Veronica (pro per Petitioner/mother)

Case No. 12CEPR00713

Petition for Termination of Guardianship

Age: 2 years		VERONICA RAMOS , mother, is petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. Need Notice of Hearing. 2. Need proof of service of the Notice of Hearing on: a. Isidro Ramos (guardian) b. Agapita Gonzalez (guardian) c. Jesus Alberto Reyna Cisneros (father) d. Elvira Reyna Cisneros (paternal grandmother) e. Isidro Ramos (paternal grandfather) f. Louise Velasco (maternal grandmother)
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input type="checkbox"/>	Notice of Hrg	X	
<input type="checkbox"/>	Aff.Mail	X	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
ISIDRO RAMOS and AGAPITA GONZALEZ , maternal uncle and aunt, were appointed guardians on 12/10/2012. Father: JESUS ALBERTO REYNA CISNEROS Paternal grandfather: Unknown Paternal grandmother: Elvira Reyna Cisneros Maternal grandfather: Isidro Ramos Maternal grandmother: Louise Velasco Petitioner states she has been in recovery for 10 months and out of trouble since October 2012. Her two other children are currently in her care and live with her in a stable environment. Petitioner states she is capable of fulfilling the minor's needs. Court Investigator Dina Calvillo's Report filed on 9/19/13			
Reviewed by: KT			
Reviewed on: 10/18/13			
Updates:			
Recommendation:			
File 11 – Cisneros			

Petition for Termination of Guardianship

Age:		NEEDS/PROBLEMS/COMMENTS:
DOD:		
Cont. from		
<input type="checkbox"/> Aff.Sub.Wit.		
<input type="checkbox"/> Verified		
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input type="checkbox"/> Notice of Hrg		
<input type="checkbox"/> Aff.Mail		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
	Reviewed by: KT Reviewed on: 10/18/13 Updates: Recommendation: File 12 – Loden	

13 Destiny Hackler & Ta'Laya Hackler (GUARD/P)**Case No. 13CEPR00724****Atty Ruyle, Sabrina (pro per Petitioner/maternal aunt)****Atty Ruyle, Vickie (pro per Petitioner/maternal grandmother)****Atty Hernandez, Jaime (pro per Objector/father)****Petition for Appointment of Guardian of the Person (Prob. C. 1510)**

Destiny Age: 13		<p align="center">THERE IS NO TEMPORARY. No temporary was requested.</p> <p>VICKIE RUYLE, maternal grandmother, and SABRINA RUYLE, maternal aunt, are petitioners.</p> <p>Father (Destiny): UNKNOWN</p> <p>Father (Ta'Laya): JAIME HERANDEZ</p> <p>Mother: KATHERINE HACKLER</p> <p>Paternal grandparents (Destiny): Unknown Paternal grandparents (Ta'Laya): Unknown Maternal grandfather: Richard Hackler</p> <p>Petitioners state a guardianship is needed to provide a safe/stable environment for the children that was not provided by the parents.</p> <p>Objection filed by Jaime Hernandez, father of Ta'Laya) on 9/3/13 states he is the father and does not want his child jumping around from house to house when she has a father who can care for her.</p> <p>Court Investigator Jennifer Daniel's Report filed on 10/15/13.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of personal service of the Notice of Hearing along with a copy of the petition, or consent and waiver of notice or declaration of due diligence on: <ol style="list-style-type: none"> a. Katherine Hackler (mother) b. Father of Destiny c. Jaime Hernandez (Ta'Laya's father) 3. Need proof of service of the Notice of Hearing along with a copy of the petition, or consent and waiver of notice or declaration of due diligence on: <ol style="list-style-type: none"> a. Paternal grandparents of both Destiny and Ta'Laya b. Richard Hackler (maternal grandfather) 	
Ta'Laya age: 6				
Cont. from				
<input type="checkbox"/>	Aff.Sub.Wit.			
✓	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input type="checkbox"/>	Notice of Hrg			X
<input type="checkbox"/>	Aff.Mail			X
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			X
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
✓	CI Report			
<input type="checkbox"/>	9202			
✓	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
✓	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
		Reviewed by: KT		
		Reviewed on: 10/18/2013		
		Updates:		
		Recommendation:		
		File 13 – Hackler		

Age: 15 years		<u>General Hearing 12/9/13</u>		NEEDS/PROBLEMS/COMMENTS:	
		JAMES LESTER FAIR , maternal uncle, is petitioner.		1. Need proof of personal service of the Notice of Hearing or Consent and Waiver of Notice or Declaration of Due Diligence on: a. John Estrada (father) b. Jessica Estrada (minor) 2. UCCJEA is incomplete. Need minor's residence information for the period of 2008 to 6/9/2013.	
		Father: JOHN ESTRADA			
		Mother: MEGUMI FAIR			
		Paternal grandparents: Not listed			
		Maternal grandfather: Bernard Fair			
		Maternal grandmother: Emi Fair			
Cont. from		Petitioner states the minor recently suffered a traumatic brain injury and requires 24 hour care. Her mother is unfit to care for her and would not be physically able to care for her.			
<input type="checkbox"/>	Aff.Sub.Wit.	Court Investigator Dina Calvillo's Report filed on 10/18/13			
<input checked="" type="checkbox"/>	Verified				
<input type="checkbox"/>	Inventory				
<input type="checkbox"/>	PTC				
<input type="checkbox"/>	Not.Cred.				
<input checked="" type="checkbox"/>	Notice of Hrg				
<input type="checkbox"/>	Aff.Mail				
<input type="checkbox"/>	Aff.Pub.				
<input type="checkbox"/>	Sp.Ntc.				
<input checked="" type="checkbox"/>	Pers.Serv.	W/			
<input type="checkbox"/>	Conf. Screen				
<input checked="" type="checkbox"/>	Letters				
<input checked="" type="checkbox"/>	Duties/Supp				
<input type="checkbox"/>	Objections				
<input type="checkbox"/>	Video Receipt				
<input checked="" type="checkbox"/>	CI Report				
<input type="checkbox"/>	9202				
<input checked="" type="checkbox"/>	Order				
<input type="checkbox"/>	Aff. Posting				
<input type="checkbox"/>	Status Rpt				
<input checked="" type="checkbox"/>	UCCJEA				
<input type="checkbox"/>	Citation				
<input type="checkbox"/>	FTB Notice				
				Reviewed by: KT	
				Reviewed on: 10/21/13	
				Updates:	
				Recommendation:	
				File 14 – Estrada	

Age: 10		GENERAL HEARING 12/03/2013		NEEDS/PROBLEMS/COMMENTS:	
		ROY OKEN & DOREEN OKEN , non-relatives, are petitioners.		1. Need Notice of Hearing.	
Cont. from		Father: UNKNOWN		2. Need proof of personal service five (5) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice of declaration of due diligence for:	
<input type="checkbox"/>	Aff.Sub.Wit.			<ul style="list-style-type: none"> Father (Unknown) – Unless the Court dispenses with notice. Mary Elizabeth Bluestone (Mother) – Unless the Court dispenses with notice 	
✓	Verified	Mother: MARY ELIZABETH BLUESTONE , Parental Rights Terminated by Order of the Superior Court, County of Sonoma on 07/24/2013 in Case No. SFL-62149			
<input type="checkbox"/>	Inventory				
<input type="checkbox"/>	PTC				
<input type="checkbox"/>	Not.Cred.				
<input type="checkbox"/>	Notice of Hrg	x	Paternal Grandparents: Unknown		
<input type="checkbox"/>	Aff.Mail	Maternal Grandfather: Phillip Slaton, Consents and Waives Notice			
<input type="checkbox"/>	Aff.Pub.	Maternal Grandmother: Joel Slaton, Deceased			
<input type="checkbox"/>	Sp.Ntc.				
<input type="checkbox"/>	Pers.Serv.	x			
✓	Conf. Screen				
✓	Letters				
✓	Duties/Supp				
<input type="checkbox"/>	Objections				
<input type="checkbox"/>	Video Receipt				
<input type="checkbox"/>	CI Report				
<input type="checkbox"/>	9202				
✓	Order	<p>Petitioners state: The current guardian/grandfather of the minor is seventy-eight years old and has had medical difficulties following a recent surgery. Current guardian and birth mother of the minor both nominate the Oken's as guardians both temporarily and permanently so that the minor's care will be without interruption. The minor has resided with the Oken's since November of 2012.</p> <p>Petitioners request that they be excused from noticing the father as he is unknown and has never been identified.</p>			
<input type="checkbox"/>	Aff. Posting			Reviewed by: LV	
<input type="checkbox"/>	Status Rpt			Reviewed on: 10/21/2013	
✓	UCCJEA	Attached to the petition is a Court Order: Termination of Parental Rights from the Superior Court, County of Sonoma filed 07/24/2013 in Case No. SFL-61249.		Updates:	
<input type="checkbox"/>	Citation			Recommendation:	
<input type="checkbox"/>	FTB Notice			File 15 – Slaton	

Age: 4 years		GENERAL HEARING 12/11/13		NEEDS/PROBLEMS/COMMENTS:	
		GLORIA ANDERSON , maternal grandmother, is petitioner.		1. Need Notice of Hearing.	
		Father: UNKNOWN		2. Need proof of personal service of the Notice of Hearing along with a copy of the temporary petition or consent and waiver of notice or declaration of due diligence on:	
Cont. from		Mother: DIANA VALENCIA		a. Diana Valencia (mother)	
<input type="checkbox"/>	Aff.Sub.Wit.				
✓	Verified				
<input type="checkbox"/>	Inventory				
<input type="checkbox"/>	PTC				
<input type="checkbox"/>	Not.Cred.				
<input type="checkbox"/>	Notice of Hrg	X	Petitioner states the minor has been in her care since birth. His mother has an extreme history with drug abuse. She has used methamphetamine off and on for several years. Mom has ten children; eight of those children reside primarily with their biological father and have no relationship with their mother. The minor tested positive for drugs at birth.		
<input type="checkbox"/>	Aff.Mail				
<input type="checkbox"/>	Aff.Pub.				
<input type="checkbox"/>	Sp.Ntc.				
<input type="checkbox"/>	Pers.Serv.	X			
✓	Conf. Screen				
✓	Letters				
✓	Duties/Supp				
<input type="checkbox"/>	Objections				
<input type="checkbox"/>	Video Receipt				
<input type="checkbox"/>	CI Report				
<input type="checkbox"/>	9202				
✓	Order				
<input type="checkbox"/>	Aff. Posting			Reviewed by: KT	
<input type="checkbox"/>	Status Rpt			Reviewed on: 10/21/13	
✓	UCCJEA			Updates:	
<input type="checkbox"/>	Citation			Recommendation:	
<input type="checkbox"/>	FTB Notice			File 16 – Valencia	

1 Paul Lee Simpson (CONS/PE)**Case No. 13CEPR00201****Atty Kruthers, Heather H. (for Public Guardian – Petitioner)****Atty Lind, Ruth P. (Court appointed for Proposed Conservatee)****Status Hearing Re: Conservatorship**

Age: 85	PUBLIC GUARDIAN filed a petition for appointment as Conservator of the Person and Estate on 3-13-13 due to Adult Protective referrals re telephone scammers and the status of Mr. Simpson's home. See petition for details.	NEEDS/PROBLEMS/COMMENTS: Note: This matter will be heard at 10:00. 1. Need status. Note: On 8-27-13, the Public Guardian filed a First and Final Account that was settled on 10-2-13 for the period of temporary conservatorship. Examiner notes that the language in the accounting petition appears to indicate that the conservatorship petition was dismissed; however, that is not the case. Minute Order 6-19-13: Parties engage in settlement discussions with the Court. Mr. Simpson agrees to change his telephone number to a private number to avoid being called by scam artists. The Court terminates the temporary conservatorship. The Court indicates for the minute order that the issue regarding the conservatorship will remain open. Set on 10-22-13 at 10am in Dept 303 for Status Hearing Re: Conservatorship. Note: If conservatorship is granted, the Court will set status hearings as follows: <ul style="list-style-type: none">• Friday 3-7-14 for filing of I&A• Friday 3-6-15 for filing of First Account
Aff.Sub.Wit.	Temporary Conservatorship of the Person and Estate was granted on an ex parte basis on 3-14-13. At hearing on 4-18-13, the temp was extended and the matter set for trial.	
Verified		
Inventory	On 6-19-13, at Court Trial / Settlement Conference, temporary conservatorship was terminated; however, the Court stated that the issue regarding conservatorship would remain open and set this status hearing.	
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		

Reviewed by: skc
Reviewed on: 10-21-13
Updates:
Recommendation:
File 1 – Simpson